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Typed or printed name of person signing this certificate:  
Tony M. Cole

Signature

T. M. Cole

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of	)	
	)	
Patricia CRUZ-PEREZ <i>et al.</i>	)	Group Art Unit: 1637
	)	
Application No.: 10/080,959	)	Examiner: Cynthia B. Wilder
	)	
Filed: February 22, 2002	)	
	)	
For: METHOD FOR DETECTION OF	)	
<i>Stachybotrys chartarum</i> IN PURE	)	
CULTURE AND FIELD SAMPLES	)	
USING QUANTITATIVE	)	
POLYMERASE CHAIN	)	
REACTION	)	

**INFORMATION DISCLOSURE STATEMENT**  
**TRANSMITTAL LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Enclosed is an Information Disclosure Statement and accompanying form PTO-1449 for  
the above-identified patent application.

☒ No additional fee for submission of the IDS is required.

Information Disclosure Statement Transmittal Letter

Application Serial No. 10/080,959

Attorney's Docket No. 0001-00001

Page 2

- ☐ The fee of \$180.00 as set forth in 37 C.F.R. § 1.17(p) is also enclosed.
- ☒ A certification under 37 C.F.R. § 1.97(e) is also enclosed.
- ☐ A check in the amount of \$ \_\_\_\_\_ is enclosed for the fee due.

Respectfully submitted,

By: Ty M. Cole  
Tony M. Cole  
Reg. No. 43,417

864 Braddock Road  
Enterprise, Florida 32725  
(386) 575-2713

Date: September 16, 2003



Patent  
Attorney's Docket No. 0001-00001

**Certificate of Mailing**

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CULTURE AND FIELD SAMPLES	)	
USING QUANTITATIVE	)	
POLYMERASE CHAIN	)	
REACTION	)	

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), applicant(s) bring(s) to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final Action or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement:

☒ includes a certification as specified by Section 1.97(e).

☐ is accompanied by a fee of \$180.00 as specified by Section 1.17(p).

☒ **Certification 1:** Each document listed in this Information Disclosure Statement was cited in a communication from the PCT International Search Authority in a counterpart foreign application, and this Information Disclosure Statement is being filed within three months of the mailing date of that communication.

☐ **Certification 2:** Based on reasonable inquiry, no document listed in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and no document listed in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of this Information Disclosure Statement.

☒ Copies of the listed documents are attached.

☐ Copies of the listed documents were previously submitted in a prior application, serial no. \_\_\_\_\_, filing date \_\_\_\_\_, upon which applicant(s) rely(ies) for the benefits provided in 35 U.S.C. § 120. Applicant(s) respectfully request(s) that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

☐ The following is a concise statement of relevance of the non-English language documents.

1. \_\_\_\_\_ discloses \_\_\_\_\_.

2. \_\_\_\_\_ discloses \_\_\_\_\_.

☐ English translations of the non-English documents are enclosed.

- ☐ In lieu of a statement of relevance or translation of the non-English documents, an English language version of a search report from the PCT International Search Authority in a corresponding application citing these documents and setting forth the relevance thereof is enclosed.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and applicant(s) determine(s) that the cited document(s) do not constitute "prior art" under United States law, applicant(s) reserve(s) the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant(s) further reserve(s) the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.


If any copending application(s) is/are cited on the attached PTO 1449, the Examiner's attention is directed to the foregoing application(s) in compliance with § 2001.06(b) of the Manual of Patent Examining Procedure. By identifying the copending application(s), the assignee and/or applicant of the application(s) do not waive confidentiality of the application(s). Accordingly, the U.S. Patent and Trademark Office is requested to maintain the confidentiality of the copending application(s) under 35 U.S.C. § 122.

Respectfully submitted,

By: Ty M. Cole  
Tony M. Cole  
Reg. No. 43,417

864 Braddock Road  
Enterprise, FL 32725  
(386) 575-2713

Date: September 16, 2003

<b>INFORMATION DISCLOSURE CITATION</b> PTO-1449		ATTORNEY'S DKT No. 0001-00001	APPLICATION No. 10/080,959
		APPLICANT(S) Patricia CRUZ-PEREZ et al.	
		FILING DATE February 22, 2002	GROUP 1637

U.S. PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE	
FOREIGN PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						Yes	No
	WO 01/96612 A	12-20-01	WIPO			X	
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
	Haugland, R. A. et al.: "Quantitative Measurement of <i>Stachybotrys chartarum</i> conidia Using Real Time Detection of PCR Products with the TaqMan® Fluorogenic Probe System," Molecular and Cellular Probes, Academic Press, London, GB, vol. 13, no. 5, October 1999, pages 329-340						
/	International Search Report, International Application No. PCT/US 02/06335, dated July 10, 2003						
✓	Roe, J. D. et al.: "Quantification of <i>Stachybotrys chartarum</i> conidia in Indoor Dust Using Real Time, Fluorescent Probe-Based Detection of PCR Products," Journal of Exposure Analysis and Environmental Epidemiology, Princeton Scientific Pub. Co., Princeton, N.J., U.S., vol. 11, no. 1, January 2001, pages 12-20						
	Haugland & Heckman: "Identification of Putative Sequence Specific Primers for Detection of the Toxigenic Fungal Species <i>Stachybotrys chartarum</i> ," Molecular and Cellular Probes, vol. 12, 1998, pages, 387-396						
✓	Heid, C. A. et al.: "Real Time Quantitative PCR," Genome Research, Cold Spring Harbor Laboratory Press, U.S., vol. 6, no. 10, October 1, 1996, pages 986-994						
✓	Cruz-Perez, P. et al.: "Specific Detection of <i>Stachybotrys chartarum</i> in Pure Culture Using Quantitative Polymerase Chain Reaction," Molecular and Cellular Probes, vol. 15, no. 3, June 2001, pages 129-138						

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant(s).